

**UNITED STATES DEPARTMENT OF COMMERCE**

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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/477,984	06/07/95	COWGILL	C 1087.001
		18M2/0916	EXAMINER LILLING, H

AMY L COLLINS
CHIRON CORPORATION
INTELLECTUAL PROPERTY R440
4560 HORTON STREET
EMERYVILLE CA 94605

1808 DATE MAILED:

09/16/96

ART UNIT

PAPER NUMBER

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

Responsive to communication(s) filed on 6-1-95 7-19-96

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire ONE month(s); or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

Claim(s) 1-24 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

Claim(s) _____ is/are allowed.

Claim(s) _____ is/are rejected.

Claim(s) _____ is/are objected to.

Claims 1-24 are subject to restriction or election requirement.

Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on _____ is/are objected to by the Examiner.

The proposed drawing correction, filed on _____ is/are approved disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All Some* None of the CERTIFIED copies of the priority documents have been received.

received in Application No. (Series Code/Serial Number) _____

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

Notice of Reference Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

SEE OFFICE ACTION IN THE FOLLOWING PAGES

15. Receipt is acknowledged of the prior art information disclosure statement filed June 07, 1995 and the supplemental prior art information disclosure statement filed July 19, 1996.

5 16. Claims 1-24 are present in the instant application.

17. Restriction to one of the following inventions is required under 35 U.S.C. 121:

10 I. Claims 1-18, drawn to a method for producing properly folded insulin-like growth factor (IGF) polypeptides from a yeast cell, classified in class 435, subclass 71.2.

II. Claims 19-24, drawn to methods of refolding polypeptides comprising denaturing and renaturing, classified in class 530, subclass 407+.

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18. The inventions are distinct, each from the other because:

20 Invention I does not require the specifics of Invention II nor does Invention II require the specifics of Invention I. The two methods are drawn to patentably distinct methods that have acquired a separate status in the art as shown by their different classification, have acquired a separate status in the art because of their recognized divergent subject matter and the search

required for one invention is not required for the other invention, thusly the restriction for examination purposes as indicated is proper.

5 19. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must
10 be accompanied by a diligently-filed petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(h).

20. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor
15 errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

20 21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lilling whose telephone number is (703) 308-2034 and fax number (Art Unit 1808) is (703) 305-7401. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.
25

H.J.Lilling: HJL
(703) 308-2034
Art Unit 1808
30 September 12, 1996


HERBERT J. LILLING
PATENT EXAMINER
GROUP 180 - ART UNIT 1808